M'AULIFFE KILLED, SOMEHOW.

ONLY THAT IS CERTAIN ABOUT THE DEAD GLENNON WITNESS

And He Can't Testify Now-Detectives From Devery's Central Office Have Been Helping the District Attorney Investigate - Somehow, Reports Have Got Twisted - But a Healthy-Looking "McAuliffe" Was in Court Half an Hour Before McAultife, a Wreck, Was Dying.

There is still a conflict of testimony as to the causes of the death of James McAuliffe. Only one thing is certain with regard to the matter: McAuliffe is dead. When Edward Glennon, who was Devery's man in the Tenderloin, is next called to

the box to answer to charges of having failed to do his duty as a policeman in not closing an illegal place, McAuliffe's voice will not be latted against him. It is certain, too, that Mc uiffe died violently. But how? One of the assistants of District Attorney

Jerome, aided by several of Mr. Jerome's county detectives, has been trying for three days to find out just how McAuliffe was killed. Until yesterday they found much that was confusing, and much that made them feel that the police wanted to hide from them the real causes of the man's Then the Detective Bureau at Police

Headquarters volunteered its aid. This bureau is to-day almost exactly what it was when Devery ruled: when Devery ruled, it satisfied Devery.

With the aid of the Central Office men a large quantity of statements with regard to the imovements of McAuliffe and with regard to his injuries began coming to light. It all tended to discourse Jerome from further investigation. But ong other things it was made public that for almost twelve hours preceding his death McAuliffe was in the custody of the police of the same precinct in which he was found dying. And the police professed to be surprised that the man whose movements they said they had been trying to trace for two days, had actually been in ther station for twelve hours before he was picked up.

These are all the publicly known facts of McAuliffe's last twenty-four hours of

was picked up from the sidewalk at Forty-fourth street and Eighth avenue on Saturday night at 9 o'clock by Policeman Reddy, of the West Forty-seventh street station. He was taken to that station. He was in a stupor. The sergeant on duty ordered him put into a patrol wagon and sent to Roosevelt Hospital. There Dr. J. R. Russell examined him.

Dr. Russell found the smell of drink on McAuliffe's breath. He acted like a man dead drunk. One of the tests of the degree of intoxication in such cases is the jabbing of a needle into the palm of the hand near the base of the thumb in order to see whether there is any nervous reaction of the muscles of the arm. Dr. ssell found that there was such reaction. He put a small bandage on the wound made by the needle and told the police to take the man back to the station. There

he was part in a cell. Thus McAuliffe, unconscious, was taken to the West Forty-seventh street station for the second time that night. Nobody was there, apparently, who recognized in Glennon when Glennon would next go to

nan would have recognized him. Kiernan is a detective sergeant, assigned to the West Forty-seventh street station at Devery's instance. He was much in the confidence of Devery; likewise of Glennon. It is presumed that because MoAuliffe was not recognized. Kiernan could

The next morning a man was brought to the bar in the police court when McAuliffe's name was called. He was sober. Magistrate Mayo commented on his sobriety. There was no mark of any wound on him He was sensible. Policeman Reddy made a strong plea for him and he was set free.

If this man was McAuliffe, he had sandy hair and mustache, looked like a native of the North of Ireland and was heavily built. Magistrate Mayo said last night that he could not recall the color of the hair of the man who was arraigned before him as McAuliffe. But he did remember that the prisoner was the picture of ruddy health. He remembers wondering how a man could look so well after being dead

One of the unpleasant stories in the Police Department is that sometimes prisoners who have been too much battered to look well in court have not been sent to court, and that well and sound men have been sent in their places to be discharged. But the Central Office detectives made no suggestion of this sort to the District Attorney The prisoner was discharged, with another man, named Hand, arrested by the same

policeman for having been drunk. This man Hand has not been home since; he said he was a travelling salesman. Perhaps he is travelling.

Twenty-five minutes after "McAuliffe's" discharge McAuliffe was found dying on the sidewalk in Sixth avenue near Fortyninth street. Sixth avenue there at o'clock on Sunday morning is quiet, as quiet as it is at any hour during the week. This man lay there with his face battered in and with bruises on his legs and a fracture at the base of his skull until a motorman on a street car called a policeman's attention to him. Then he was taken to the hospital and died there.

The dead McAuliffe was a physical wreck. He was weak and flabby. His body was the body of a chronic invalid. His face bore in large writing the signs of disease.

Then the investigation began. It was represented to the District Attorney that McAuliffe's skull had been fractured on Saturday before he was arrested for drunkenness, and that Dr. Russell had made a faulty diagnosis. As proof of this it was said that McAuliffe's arm was paralyzed and that Dr. Russell was at a loss to understand this paralysis until he realized that a pressure on the brain, caused by a fractured skull, would have caused it

Dr. Russell said last night that he had sent no such message to the District Atorney. On the other hand, he said, McAuliffe's arm was not paralyzed. The young surgeon added that though he was fallible. as all surgeons are, he knew and knows w that there was no such wound in McAuliffe's skull on Saturday night as there is

A new map showing completed and projected rall-ads in China will be found in "Four Track Se-(s" No. 28, sent free on receipt of a cents by George Daniels, General Passenger Agent New York entral, Grand Central Station, New York.—Adv.

now when McAuliffe lies dead. A twist has been made in the report of the surgeon, between his lips and District Attorney's

Capt. Titus said early yesterday that it was his men who had elicited the information about the paralyzed arm which had convinced the District Attorney that McAuliffe's first injury was received before the police had an all-night chance at him.

When McAuliffe was arrested on Saturday night there were 12 cents in his pockets. When he was picked up dying there was but one cent. The District Attorney said yesterday that he saw no way of proving that McAuliffe, with the paralyzing fracture of the skull-which Dr. Russell insists was not paralyzing and not a perceptible fracture—had not become the victim of the dulling effect of 10 cents' worth of some stimulant, so that he got in the way of a vehicle and received the wounds upon his face and body.

For the absence of the usual police precautions with regard to taking the names of bystanders in an accident case and for the delay in making the discovery that McAuliffe, the witness, had been in the station all night without being recognized by those who went down to Glennon's trial for the particular purpose of spotting the witnesses there-for all these things, the District Attorney thought stupidity would account. He could not be found last night to be asked whether police "stupidity" accounted for the ingeniously perverted proof that a fractured skull was proved by a paralyzed arm-which was not paralyzed.

Perhaps the fact that McAuliffe's whole arm was in a bandage when he was picked up dying, and not merely his hand, as it was when the doctor left it, may also later be accounted for by police "stupidity.

The heap of thinking which the death of McAuliffe had caused generally inspired Sergt Brennan to go out last night with another man from the West Forty-seventh street police station and find a barber, Fred Ebeling at 870 Sixth avenue, who told them that one of his men had seen McAuliffe knocked down by a street car and banged against an elevated railroad pillar

They didn't find the barber so they could not find out why the story had been four days in coming to the front though the neighborhood has been overrun since Sunday with amateur and professional sleuths and nothing else has been talked

The two policemen gave out for publica tion the statement that Ebeling said that "Jerome had learned of this story" and that was why he believed that the investigation would show nothing more. But Mr. Jerome had heard no such story.

THE "COMMONER" AND THE MAILS Bryan Scores Third Assistant Postmaster General Madden.

LINCOLN, Neb., Feb. 20.-Third Assistant Postmaster-General Madden is rudely exceriated in an editorial in this week's Commoner, Mr. Bryan insisting that Mr. Madden is assuming to act as censor of the newspapers of the United States and showing reprehensible political bias.

The Commoner was recently notified that it was violating the rules of the Department in sending free papers to Senators and Congressmen, and it was hinted that if persisted in, it would lose the right of second-class entry. Mr. Bryan sees an him the man who was to testify against intention to suppress his paper, as in his last letter Mr. Madden says that a publication devoted to furthering the rersonal ends of an indivi

the second class. Mr. Bryan says: "While Mr. Madden is ruling on the subject of personal interest might it not be well for him to define the personal interest which he, as a Republican politician has in preventing the distribution politician, has in preventing the circulation of a Democratic paper? If there is any law which justifies him in using his posi-tion to advance his personal interest or that

of his party, let him quote it.

"According to his ruling, if a subscriber is interested in the Declaration of Independence, the overthrow of the trusts or in preventing Wall Street domination; or if he wants a Third Assistant Postmaster-General who is more interested in enforcing the law then in advancing the interests. ing the law than in advancing the interests of the Republican party, he must carefully conceal the fact from the editor."

GOT THE CASHIER'S \$50,000. Electric Wires Under a Bar Over Which He Lost the Money.

INDIANAPOLIS, Feb. 20 .- In the trial of the suit to-day of former Bank Cashier Davis of Washington against Matthew Kelly and Dallas Tyler to recover \$50,000, which Davis robbed the People's Bank and lost at gambling, E. W. Roberts, an electrician, was placed on the stand. He said he was employed by Kelly to put in an electric dry battery under the bar in Kelly's saloon, where Davis nightly played craps. Roberts arranged the battery in the cellar, attached two saucer magnets inder the bar and connected them with

The work was done at midnight on Christ The work was done at minight on thist-masnight, 1900. They were alone, and Kelly cautioned Roberts to tell no one. It is alleged Davis lost \$50,000 shooting craps with Dallas Tyler. Davis remained on the stand for half a day and was subjected to a vigorous cross-examination. The defence did not confuse him.

REGINALD VANDERBILT OF AGE Mother Discharged as His General Guar-

dian - Father Left Him \$7,500,000. Mrs. Alice G. Vanderbilt obtained an order yesterday from Justice Beach of the Supreme Court discharging her from all liability as general guardian of her son, Reginald C. Vanderbilt, who came of age on Dec. 19 last.

Mrs. Vanderbilt turned over to her son all securities and cash due to him and took a general release of all claims against her from him on Jan. 24, last. The amount of the trust estate is not given. The son consented to the entry of the order yes-

consented to the entry of the order yes-terday discharging his mother as general guardian and cancelling her bond, on which the sureties were W. K. Vanderbilt and Edward V. W. Rossiter. Reginald C. Vanderbilt got about \$7,500,-000 under the will of his father, Cornelius Vanderbilt, whose will was filed in October, 1899, disposing of an estate subsequently appraised at \$7,200,000. appraised at \$72,000,000.

Justice Gray Has Slight Stroke of Paralysis.

WASHINGTON, Feb. 20.-Justice Gray f the Supreme Court of the United States suffered a slight stroke of paralysis last evening, but he had so improved to-day that his physicians think it will not result seriously. Justice Gray is 73 years of age and has been on the Supreme bench since 1881. He served from 1864 until 1881 on the Supreme bench of Massachusetts; for eight years he has been Chief Justice.

Burnett's Extract of Vanille

MERGER SUIT BREAKS STOCKS.

POLITICAL EFFECT OF PRESI-DENT'S ORDER DISCUSSED.

Washington Thinks the Time Was Well Chosen for Announcing the Government's Purpose to Test the Legality of the Northern Securities Combine.

WASHINGTON, Feb. 20,-It was learned o-day on authority that the Government's bill in equity to test the legality of the Northern Securities railway merger will not be filed before the middle of next week and probably not much before the end of

The contemplated action of the President and the Attorney-General in this matter caused more talk in Washington to-day han any other current event, including the culmination of the Schley case.

Communications of various kinds on the proposed action in the merger case from persons in New York were brought to the President's attention, and it was evident at the White House and the Department of Justice long before noon that the decision to proceed against the Northern Securities Company was not popular at the financial centre of the country.

Far from being heedless of the effect on

ousiness interests, there are good reasons to believe that the Government made at this time the announcement of its intention in order that the financial disturbance might be as slight as possible. Had the announcement been deferred until after the decision of the Supreme Court in the Minnesota case, granting that the court's decision will be a denial of jurisdiction, the probable upward movement of stocks would have been sharply reversed by the Government's announced intention to proceed against the Securities Company. As it is now the feeling exists that to-day's disturbance in Wall Street will not be repeated after the Supreme Court's decision, which is expected next week, and that the present excitement is not as serious as it would have been if the Government's announcement had been deferred.

Even if the Supreme Court, contrary to general expectation, should decide that it has jurisdiction in the Minnesota case and should render an opinion in favor of the merger, the government's action under the Sherman anti-Trust act would not be affected in any degree. The most that the Supreme Court can do, in the case now before it, is to decide that the laws of Minnesota have or have not been violated by the railway

combination. That case is held by the Attorney-General to be quite distinct from an action such as the Administration now contemplates. The Minnesota case is much smaller, involving only the statutes of a single State. The coming action of the Government, instituted by President Roosevelt's direction, is to determine the applicability of a Federal law to the case in question.

The Attorney-General sees no essential principle in the merger case which differentiates it from other cases which have been adversely decided by the Supreme Court. His view, as stated in THE SUN this morning, is that a combination of interests which affords the power, whether the power be used or not, or whether it is intended to be used or not, to control rates or eliminate competition, constitutes a violation of the Sherman act.

According to Mr. Knox's views the terms of the long and carefully prepared statement recently given out in St. Paul by James J. Hill, may be conceded, therefore, without affecting the power of the Government to proceed under the Sherman act. In fact, it is believed that some of the representations made by Mr. Hill in that statement may be used by the Government in prosecuting its case

The political effect of the President's action was freely discussed by Senators and Members of Congress and in official circles generally to-day. The general opinion seemed to be that, although political considerations did not dictate the action, the effect would be beneficial. The belief was expressed that the Administration's move would prove to be popular with the people of the country. If the Supreme Court's final decision should not uphold the belief that the merger is illegal, the action would still have the effect of clearing up the situation. If it should be favorable to the Administration's theory, the decision would be popular.

STOCKS BREAK HEAVILY.

Northern Securities Men Won't Discuss the President's Action.

The news that President Roosevelt had directed a bill to be filed to test the legality of the merger gave Wall Street a shock and prices broke heavily.

Before our market opened the cable entries brought news of weakness in American railway shares in the London market At the opening here the drop was more severe than in London. The traders were generally long of stocks and the news caught them unprepared. There was a rush to unload especially the stocks of companies directly involved in the Northern Securities scheme or which Wall Street has expected would be included soon in combinations

Opening sales were made at such de-clines as 5½ points for Great Northern preferred, 3½ points for Missouri Pacific, 3½ points for Union Pacific and 2 to 3 points for many other leading stocks. Generally throughout the loss the decline averaged folly a point.

fully a point.

Among the industrial shares Sugar Re-Among the industrial shares Sugar Re-fining broke 2½ points; Tennessee Coal and Iron, in which a bull pool is said to have been formed on Friday, 4 points, and Amal-gamated Copper, 1½ points. The shares of the local traction companies broke 1½ to

At the declines, however, there was an appearance of supporting orders from the large financial interests and before noon moderate rallies occurred. The temper of the market remained very unsettled of the market remained very unsettled all day with irregular movements of prices and a weak closing.

The heaviest dealings were in Southern Pacific. They amounted to 158,400 shares

out of total sales of 1,050,000 shares. James out of total sales of 1,050,000 shares. James R. Keene has been understood to be in charge of a big pool in Southern Pacific, the amount of stock this pool was carrying being estimated as high as 400,000 shares. The stock on Tuesday last touched 67½. Yesterday it sold as low as 63½, and the closing was 64½, or 2½ points under Friday's close. There were reports that Mr. Keene had unloaded a lot of stock and that he had shifted his market position, those holding this view pointing to the weakness

"Lenten Sunday Special" New York and Atlantic City.

Atlantic City.

Beginning February 23, via Pennsylvania Raliroad, Through vestibule train leaves West 25d Street Station Sundays at 7:55 A. M., arrives Atlantic City 1120 A. M. Returning leaves Atlantic City Sundays at 5:30 P. M., arrives New York 8:45 P. M. Pullman parior cars, Pullman parior smoking car, Inding car and coaches. Stops at Newark, Edizabeth and Trenton—Ade.

of certain other so-called Keene shares as an indication that their opinion was

One feature of the stock market dealings was heavy selling on cable orders for London account. This selling was estimated at about 70,000 shares up to the time the European markets closed, and there was continued selling in smaller amounts for some time afterward, the later orders being reported to come largely from the Continent. The chief selling for foreign account was of Southern Pacific, St. Paul, Union Pacific and Baltimore and Ohio.

The stock of the Northern Securities Company is not dealt in on the Stock Exchange. On the curb it broke heavily on sales amounting to about 10,000 shares, the largest dealings for one day since the appearance of the stock on the curb. The opening sale was at 104, as compared with One feature of the stock market dealings

pearance of the stock on the curb. The opening sale was at 104, as compared with 106% at the close on Friday, and later the price touched 102%. The closing was at a fractional raily to 102%.

The financial interests principally concerned in Northern Securities affairs, as well as the leading corporation lawyers in this city, all declined yesterday to discuss the action of the President. It was underof the President. It was under stood that the Northern Securities interests had been in conference with counsel as to the steps to be taken.

J. J. HILL SURPRISED. Not Aware That Company Exists in Viola-

tion of Law-Van Sant Pleased. St. Paul, Minn., Feb. 2 .- I am surprised," said J. J. Hill, "for I am not aware that the Northern Securities Company exists in violation of law, and I am sure nothing could be further from the minds of its officers. There is nothing I can say that would add to what has already been told by me and other members of the com-

told by me and other members of the company."

Asked if the report that the dissolution of the company had ever been under consideration, or was probable in the face of the present situation, he reiterated the statement that he could not talk upon this subject; that other interests besides his were involved. This was all that could be had from him.

President Hill is confined to his bed tonight with a severe cold.

night with a severe cold.

Gov. Van Sant was very much pleased with
the news from Washington, but referred
all interviewers to Attorney-General Douglas, after which the State Executive left las, after which the State Executive left the city to fill an appointment. Attorney-General Douglas, who has the prosecution of the merger now before the United States Supreme; Court is highly pleased at the anouncement of Attorney-General Knox that he would proceed against the Northern Securities Company for violation of the Sherman Apri. Travellary Anti-Trust law.

"A suit brought by the Attorney-General will in no way conflict with the suit brought by the State of Minnesota," Mr. Douglas said to-night. "They go side by side"

BARCUS HUNGERS FOR OFFICE. Will Run for State Senator to Punish Political Enemies.

TERRE HAUTE, Ind., Feb. 20.-It is now understood that James S. Barcus, defeated for the Republican nomination for Congress on Tuesday, will take the nomination for State Senator for Vigo, Vermillion and Parke counties. Vigo county has more than enough delegates to nominate and the purpose is to vent the spite of Barcus's home adherents on the two other countries in retaliation for the action of these coun-

in retaliation for the action of these counties in the Congressional convention.

It has been customary for Vigo county to permit the joint Senator to go to the outside counties. Barcus's newspaper, the Tribune, while saying Congressman Holliday is to receive the support of the party, although not fairly nominated, Vigo county Republicans have several scores to settle with other counties in the district.

The Senator elected this fall will have a vote for United States Senator to succeed

The Senator elected this fail will have a vote for United States Senator to succeed Senator Fairbanks. Barcus's friends are Senator Beveridge's friends and Senator Fairbanks would object to a State Senator who had such alliances. Up to this time it had been taken for granted that Senator Keyes of Vermillion would be renominated without opposition.

KENTUCKY BANKER SHOT. Justice Who Once Fined Him Fires

Him for Being Reviled. LAWRENCEBURG, Ky., Feb. 20.-Alfred Witherspoon, a banker of this place, is dying of three wounds, and Judge Porter Walker is under police surveillance, as the result of a fight between them in Hawkins's dry goods store here. Witherspoon had been fined by Judge Walker last fall on the charge of firing his revolver, and

they had since been enemies. When they met Witherspoon called When they met Witherspoon called Judge Walker names. Judge Walker went across the street and returning with a revolver told Witherspoon to retract. Witherspoon, it is said, refused and repeated his epithets, then he reached for his revolver. Judge Walker was too quick and shot him three times. The first bullet took a piece out of his right ear, the second entered his right shoulder and the third his back beneath his right shoulder. The bullet has not been found and his life is

his back beneath his right shoulder. The bullet has not been found and his life is despaired of.

Witherspoon controls the First National Bank of which he is President and comes

DR. RIXEY AT GROTON. Goes There to Take Young Roosevelt Back to Washington

GROTON, Mass., Feb. 20.-Dr. P. M. Rixey Surgeon-General of the navy, arrived at the infirmary of the Groton School early to-day from Washington. He is toattend young Theodore Roosevelt, Jr., on his trip to Washington, which trip, however, from present indications, will not be started this week, Mrs. Roosevelt said this morning that although she wished very much to make her departure this week, she did not

make her departure this week, she did not deem it advisable to do so.

Any unfavorable change in the weather conditions will put an end to the proposed early trip, but if conditions remain unchanged it is possible that the party will leave on Saturday. Young Roosevelt is in excellent condition.

The Potter boy, who yesterday underwent an operation, is decidedly improved to-day and is gaining strength rapidly:

to-day and is gaining strength rapidly; and the Gammell lad, although still con-fined to his bed, has practically recovered.

CAR TOSSES W. B. CROSBY. Hit Leaving the Astor House, and Is Prob-

ably Hurt Internally. A well-dressed man, who said he was William B. Crosby, living at the Clarendon Hotel, Brooklyn, was knocked down by a south bound Third avenue car near the Post Office yesterday afternoon and narrowly escaped instant death.

Mr. Crosby had just left the Astor House and was crossing the loop at the south end of the Post Office when the car struck him. He was thrown on the opposite track and a northbound car, which had just made the loop, stopped within a few feet of his body.

He was picked up and carried into the Astor House and left later in a cab. A doctor who attended him said that he had probably sustained internal injuries.

It was said at the Clarendon Hotel in

The Every-Day Train to California. the "Overland Limited," leaves Chicago 8:00 P. M., via Chicago & North-Western, Union Pacific and Southern Pacific Rys. The best of everything. Offices, 461, 287 and 349 B'way.—Ade.

500 SHOT AT BARCELONA

BALL CARTRIDGES SERVED TO TROOPS IN MADRID.

Troops Ready to Move-Army Reserves Will Be Called Out Everywhere - Dissolution of Spanish Cortes Probable and Suspension of Constitutional Guarantees Almost Certain - No Food on Sale, and No Meat to Be Had.

Special Cable Despatches to THE SUN. BARCELONA, Feb. 20 .- The strikers have killed three workmen who were desirous of resuming work. A baker who raised the price of his bread was also killed.

There is no food on sale. The strikers are preventing the slaughter of animals, so no meat is to be had.

MADRID, Feb. 20.-The dissolution of the Cortes is probable, and a suspension of the constitutional guarantees throughout Spain is almost certain. The army reserves will be called out everywhere. The strike is spreading to provinces outside of Barcelona. The censorship of telegrams is very strict.

The Queen Regent gave an audience yesterday to Capt.-Gen. Weyler, who conferred to-day with the military chiefs of Madrid. Subsequently ball cartridges were served to the troops forming the garrison of the capital. All the troops are confined to their barracks under orders to be prepared to move at a moment's notice.

The official statement issued this evening represents the situation in Barcelona as being slightly improved. Some of the tram cars are running under military escort. The markets and shops are protected by soldiers.

The strike, however, continues. It is impossible to load or unload vessels at the port. The military authorities report no further disturbances in the suburbs or at Tarrasa, Sabadell, Reus or Manresa, where, however, the precautions are as strict as

Emissaries of the strikers have been sent to Saragossa, Tarragona, Castellon and Valencia to advocate a general strike. A majority of the workingmen have not responded to the attempt to get them to join the Barcelona strikers. Precautions have been taken in all these towns. The situation is evidently threatening in Saragossa, as it is officially announced that the civil authorities there have relegated their functions to the military, who have proclaimed a state of siege and occupied strategical positions to check disturbances. The police continue to arrest Anarchists in

Catalonia and elsewhere. The Republican deputies representing Valencia, Saragossa and other places de-clare that they will take no part in the movement, which is promoted by Socialists and Anarchists.

Hopefulness is expressed to-night in official circles. So much being officially admitted, there is a general disposition to give credence to newspaper and other reports, many of which are of an alarming nature The Heraldo says that the rioters in

Catalonia are getting out of hand, and that the Captain-General has asked for more troops. There was further fighting in the streets to-day. Many persons were killed, and there is a long list of wounded. Several of those injured in the earlier conflicts have died.

Other reports say that the Anarchist leaders of the outbreak threaten terrible reprisals. They have circulated handbills declaring that they will meet the Mauser rifle with dynamite bombs. The foreign Consuls at Barcelona have held a conference on the situation. The troops are masters

only of the ground they actually patrol. The strikers are collecting everywhere it is possible to do so and suddenly attacking the soldiers with stones and revolvers from their points of vantage, after which they stampede. In this way they maintain isolated fights throughout the city and suburbs. The attacks on factories, shops and trains are too numerous to record. The india rubber factories, which hitherto have not been affected, have been closed. It is said that the Government has ordered

the warship Pelavo to Barcelona. PERPIGNAN, France, Feb. 20.-Several refugees who have arrived here from Barcelona describe the situation there as serious. They confirm the earlier reports of fighting and outrages. The following statements are current, but cannot be confirmed:

The strike has developed into an organ ized revolt, fomented by Anarchists and Carlists. Guns are trained on the principal streets and cavalry and infantry are massed at strategic points, but they rather infuriate than intimidate the mobs.

A terrible encounter took place in Sans suburb. Heavy artillery was brought into action at short range against the rioters, who resisted stoutly. The killed and wounded on both sides were considerable It is reported that they number fully 500. Many women and children were among the victims. The neighborhood is a heap of smoking ruins, fire having completed

the work the guns began. LONDON, Feb. 21.-Although many newspapers here reproduce the rumors of an alleged reign of terror in Catalonia, giving the most sanguinary details, others warn the public to make allowance for the exaggerations of southern temperaments.

BOOT-BLACKING MAGNATE SUES. Nasturtlum's Former Owner Says He's the

Only Legal "Tony the Bootblack." A suit brought by Anthony L. Aste, who calls himself "Tony the Bootblack," who sold the horse Nasturtium to W. C. Whitney and J. B. Haggin for \$50,000, to restrain his former employee, John Abrussezza, from holding forth as "Tony the Bootblack" in the Wells Building, was tried before Justice Clarke yesterday in the Supreme Court. It was begun five years ago. The defendant contended that Tony is a common name among Italians and there are so many of them in the boot-blacking business that of them in the Doot-blacking business that no one could claim the right to the name.

Aste declares he is the original "Tony the Bootblack." He got privileges in the Produce Exchange in 1884 under that name and has since extended his business to other buildings. The plaintiff said he had cleared as much as \$25,000 a year in the Produce Exchange Building at boot blacking. The Court reserved decision.

Aste has taken an active interest in racing affairs for the past eight years and has

ing affairs for the past eight years and has valuable horses of his own. To the Southwest via Atlanta and Montgomery.

One day in Atlanta, using Scaboard Air Line
Ry's train 27, known as "Scaboard Fast Mail,"
leaving W. 33d Street Ferry, P. R. R., 12:10 A. M.
Siceper open 10 P. M. Office, 1183 Broadway.—Ads.

BATTLE ON THE ISTHMUS. Between Government Troops and Rebels

at Agua Dulce Special Cable Despatch to THE SUN. Colon, Feb. 20 .- An important battle has been fought between Government

troops and insurgents at Agua Dulce. There were heavy losses on each side. Gen. Toyar, the new Governor of Panama. is expected to arrive there with troops on

raised to 5,000 men. A decree has just been issued prohibiting the publication here of all canal news.

Feb. 28. The garrison at Panama is to be

A cable despatch from Colon on Tuesday told of the arrival there of the French steamship Canada with 500 soldiers and 124 officers, among whom were three Generals, to strengthen the garrison. The despatch said that it was expected that the Government forces would attack the insurgent stronghold soon.

RUTHERFURDS UPSET.

Dive From Sleigh Into Snowdrift an Early Incident of Their Honeymoon.

HACKETTSTOWN, N. J., Feb. 20 .- Mr. and Mrs. Winthrop Rutherfurd, who were married in New York on Tuesday, were thrown out of their sleigh near here late the same afternoon while trying to get to the Rutherfurd estate.

They were met at the train by the coachman with a cutter and despite the fact that he told them that the roads were almost mpassable, they started. In many places all trace of the road had been lost and new roads had been broken across fields and over buried fences.

In following one of these new roads the coachman ran into a large rock. He whipped up the horses and the sleigh was upset. Mr. and Mrs. Rutherfurd were thrown into a snow drift and neither was hurt. The horses took fright and escaped from the coachman. He walked to Allamuchy and got a new team, while Mr. and Mrs. Rutherfurd trudged across country to a farmhouse, where the coachman found them two hours later.

As soon as they reached "Tranquility Farms" Mrs. Rutherfurd called up her father, former Governor Levi P. Morton, and told him the story over the long distance telephone.

ROB CATHEDRAL OF ST. JOHN. Seven Fine Garnets Stolen From the Crown on the Altar.

In the last two or three weeks there have been several attempts to rob the expensively furnished Tiffany chapel in the crypt of the Cathedral of St. John the Divine on Morningside Heights. Two or three nights ago seven large garnets in the beautifully colored glass crown of the altar were stolen. The stones are so neatly picked out of their settings that for a day or two at least they were not missed by C. F. Barnard, the sex-

ton of the Cathedral. About two weeks ago burglars made as effort to steal two vases and a jewelled cross which are part of the furnishings of the altar, but were scared away before

they had completed their theft. The Central Office has been notified and two detectives have been detailed upon the case. It is thought that the thieves were men familiar with the building and grounds who had heard stories of the great value of the jewels in the altar and its surroundings. There have recently been some expressions of regret that the costliness of fittings of the crypt should have been

publicly advertised. TWISTED GULF STREAM AWRY Peculiar Storm Piles Up Tremendous

Waves Northwest of Cuba. NEW ORLEANS, La., Feb. 20.-A most remarkable storm struck the Gulf coast last night and this morning. The storm struck the coast, the wind blowing fifty miles an hour and causing considerable apprehension among the shipping at Pascagoula, Scranton and other places. It then turned around in the opposite direction, the waves receding from the shore, but later as the storm changed again, the waves met in the middle of the Gulf and caused

the greatest disturbance ever known there. Vessels from Cuba arrived here to-day say that it was the worst storm ever known in their experience, the waves rolling over the vessel, and all sleep or rest being out of

The Gulf Stream is said to have been temporarily twisted in the wrong direction by the peculiar action of the storm.

LEFT HIS MONEY TO YOUNG GIRLS. Conklin Ignored Family and Divided His

Fortune Among Neighbors' Children. PREESEILL, N. Y., Feb. 20.-The will of Daniel Conklin, Postmaster and well-to-docountry storekeeper at Buchanan, was filed for probate with Surrogate Silliman to-day. Conklin's wife died several years ago. They had one child, an adopted daughter, who

is married and lives at Harrison, N. J. The will leaves Conklin's store property and all his personal property to Ruth Hundley, Clara May Risk, Viola Tuttle, Rose Cole and Blanche Mackey, young girls in the neighborhood, share and share alike. The youngest is about 7 and the eldest 17. Another store which Conklin owned is not mentioned in his will and fifty-four heirs claim an interest in that property His will will be contested.

FIRST OF CARNEGIE LIBRARIES Isaac A. Hopper & Sons Get the Contract

- Hopper a Tammany Leader. The contract for the building of the Yorkville branch of the New York Public Library, the first of the branch libraries to be constructed under the provisions of the (arnegie gift, has been awarded to Isaac A. Hopper & Sons. The library will be situated at 222 and 224 Fast Seventy-ninth street, will be four stories high and of steel construction with limestone facing. The cost will be about \$150,000. James Brown Lord is the architect of the build-ing. Mr. Hopper is the Tammany leader ing. Mr. Hopper is the T in the Thirty-first district.

INDIANS WORK ON RAILWAY.

First Time They Have Accepted Such Employment - Driven to It by Hunger. GUTHRIE, Oklahoma, Feb. 20.-The Fort Smith and Western Railroad Company is employing full-blooded Cherokee Indians on the construction of the line through

that nation to Guthrie. This is the first time in the Southwest where full-blooded Indians have accepted the indians have accepted to the it by hunger caused by drought killing the crops and the extrem by cold weather.

TELLS HOW HE KILLED RICE.

PRICE TWO CENTS.

JONES, THE VALET, CALMLY GIVES STORY OF HIS CRIME.

The Dramatic Narrative Holds All Who Listened to It Spellbound for Two Hours-Patrick, the Alleged Instigator of the Murder, Braces Himself to Hear the Valet's Grewsome Testimony.

Charles F. Jones, the valet who says he murdered his master, William M. Rice, reached the climax in his confession yesterday, the making of which he expects will eventually set him free as his reward for turning State's evidence against Albert T. Patrick, now on trial before Recorder Goff charged with being the principal in the conspiracy to kill Rice and to get his millions.

This confession on the witness stand would have been a sufficiently hair-raising tale if Jones had been describing the crime of another person. The fact that he was telling, without the least show of emotion or excitement, all the minute details of his own killing of his aged benefactor, furnished two hours of the most intense excitement for his listeners.

Jones, the murderer, and Recorder Goff were the only two who seemed to take the ghastly story as a matter of course. The court room was crowded with men and women, but there was no sound from any one during the two hours that Jones was telling of the murder. The effect upon the audience of that two hours' strain was physical exhaustion. One man discovered at the end of the session that the palms

of his hands were wet with perspiration. Patrick, the prisoner whose name Jones mentioned in nearly every sentence as that of the man who had planned this or that detail of the crime, stood the test with remarkable nerve so far as the audience could see, but even Patrick braced himself for the ordeal. As soon as Jones stopped talking about wills and signatures and checks and began on chloroform and murder and death, Patrick twisted a foot around each of the front legs of his chair and braced his knees hard against the chair seat. He sat that way for the two hours. But Patrick managed to laugh at a critical moment and his was the only laugh of the afternoon. It was caused by a slip of the tongue on Jones's part while he was replying to questions put to him by Recorder Goff.

"Patrick was lying on a low pillow with his face up when I stood over him with the chloroform," said Jones.

"Who was?" shouted the Assistant District Attorney.

trict Attorney.

"I mean Rice," said Jones.
That was the blunder that Patrick found something in to laugh about.
Without the least attempt to be dramatic Jones illustrated by gestures just how he had rolled a towel into a cone, put the sponge in the cone and then saturated it with chloroform before putting it over the old man's face. The self-confessed murderer had the audience worked up to the highest pitch of excitement in anticimurderer had the audience worked up to the highest pitch of excitement in anticipation that his next sentence would be "And then I killed him," but just as often he postponed the climax to tell with cold-blooded and exasperating calmness of some preliminary detail such as tis: "Then I looked at the clock" or "then worked in the encyclopædia to see just what the effect of the poison would be."

Consulting the encyclopædias in Rice's library for information about poisons was an important detail in the work of the conlibrary for information about possess an important detail in the work of the conan important detail in the work of the con-spirators, according to Jones This was done at least once a week he said when Patrick called for six weeks before the murder was committed and always in the

evening when Rice was asleep in the next room. Throughout the morning session Jones continued his story begun on Wednesday of how he and Patrick had planned things so that the Rice millions would be theirs as soon as Rice was dead. After recess the Assistant District Attorney asked:

"Did you and Patrick ever have any talk about Mr. Rice's health?"

That question was the signal to everybody in the room that the exciting things were about to come.

in the room that the exciting things were about to come.

"Yes," replied Jones. "Patrick asked me early in August if I didn't think that Rice was living too long for our benefit. I said that I did think so and then added just for a joke that nothing but a Gatling gun would fix him. Patrick said 'Oh I'll come round some night and put him out of the way.' I told Patrick that it couldn't be done because Mr. Rice was such a light sleeper. I also suggested that Dr. Curry might do it for us. 'Oh, no,' said Patrick, 'Dr. Curry wouldn't do anything wrong. We mustn't mention it to him for if we do he won't give in the death certificate when

won't give in the death certificate when

We mustn't mention it to him for if we do he won't give in the death certificate when we need it."

Q Had you had any talk with Patrick about chloroform before he made that remark about Rice's living too long? A Yes. Some time in July Mr. Rice read in a medical magazine that he took about two necidental deaths from chlorform used in dentistry Rice called my attention to the article and remarked that there ought to be a law to prevent dentists from using chloroform. I told Mr. Rice that I didn't believe that chloroform left any signs after death and that the dentists always said the patient die i of a weak heart. He said that we would have to ask Dr. Curry about that.
Q. Did you ask Dr. Curry about it? A. Yes. He said that it would be hard to detect the use of chloroform and that it acted on the brain.
Q. Did you show the magazine article to patrick and tell him what Mr. Rice and Dr. Curry had said? A Yes. Q. Did he read it? A. Yes. He read it and said that he would talk to Dr. Curry thad said? A Yes. G. Did Patrick say anything more to you about chloroform? A Yes. He asked me where I could get some chloroform. I told him that I could get some chloroform. I told him that I could get some chloroform. I told him that I could get some chloroform. I told him that I could get some from my old nurse in the Presbyterian Hospital. But I finally sent to my brother in Texas for it. Patrick said he couldn't get it himself.
Q. Did you get it? A Yes. I got it from my brother in Texas by the American Express Company. It came in a four-ounce bottle in a little wooden box.
Q. Who paid for it? A I did with 15 that Patrick had given to me.
Q. How soon after reading the article in Mr. Rice's mealther was it that Patrick about the article.
Q. Did you talk about the post-mortem effects of chloroform at that time? A. I don't remember.
Q. What was the next conversation about Mr. Rice's health? A Soon after I had sent for the chloroform if went in Mr. Rice's health? A Soon after I had sent for the chloroform From Texas to Patrick. I co

didn't want to go to the drug store at Coney